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TECHNOLOGY CENTER R3700

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Farris, Barry
SERIAL NO.: 09/524,213
FILED: March 13, 2000
FOR: Method and Apparatus for the
Storage and Transfer of a
Lyophilisate

ART UNIT: 3751

EXAMINER: Maust, T.

To: Commissioner for Patents
Washington, DC 20231

ELECTION

Sir:

Responsive to the Examiner's election requirement under 35 U.S.C. §121 provided in the Office Action dated April 9, 2002, kindly enter the following election:

Applicant elects group III (claims 24 through 38 and 41 through 47, classified in class 141, subclass 25).

This election is respectfully made with traverse and undersigned requests the Examiner to kindly reconsider the position taken in the April 9, 2002 Office Action.

PRELIMINARY AMENDMENT

Please add the new claim as follows:

Claim 48 - A needless dosage transfer system, comprising, in combination:

an ampoule having a lyophilized pharmaceutical aseptically located
therewith;

* The Examiner has erroneously placed claims 41-47 in Group IV. These claims depend from claims in group III.

06/03/2002 JADD01 00000047 111734 09524213

01 FC:202 42.00 DP
02 FC:203 3.00 CH 6.00 DP